

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JULY 7, 2010**

**C-1    Call to Order / Roll Call**

The City Council Closed Session meeting of July 7, 2010, was called to order by Mayor Katzakian at 6:23 p.m.

Present:    Council Member Hansen, Council Member Johnson, Council Member Mounce, and Mayor Katzakian

Absent:    Mayor Pro Tempore Hitchcock

Also Present:    Interim City Manager Bartlam, City Attorney Schwabauer, and City Clerk Johl

**C-2    Announcement of Closed Session**

- a)    Conference with Dean Gualco, Human Resources Manager (Labor Negotiator), Regarding International Brotherhood of Electrical Workers Pursuant to Government Code §54957.6
- b)    Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Priscilla McMillen Against City of Lodi Based on Personal Injury

**C-3    Adjourn to Closed Session**

At 6:23 p.m., Mayor Katzakian adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 6:47 p.m.

**C-4    Return to Open Session / Disclosure of Action**

At 7:00 p.m., Mayor Katzakian reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

In regard to Items C-2 (a) and C-2 (b), both items were negotiating direction only with no reportable action.

**A.    Call to Order / Roll call**

The Regular City Council meeting of July 7, 2010, was called to order by Mayor Katzakian at 7:00 p.m.

Present:    Council Member Hansen, Council Member Johnson, Council Member Mounce, and Mayor Katzakian

Absent:    Mayor Pro Tempore Hitchcock

Also Present:    Interim City Manager Bartlam, City Attorney Schwabauer, and City Clerk Johl

**B.    Pledge of Allegiance**

**C.    Presentations**

**C-1    Proclamation Commemorating 100 Years of Electric Utility Service (EUD)**

Mayor Katzakian presented a proclamation to Elizabeth Kirkley, Electric Utility Director, commemorating 100 years of electric utility service in the City of Lodi.

C-2 Recreation and Parks Month Proclamation (PR)

Mayor Katzakian presented a proclamation to Recreation Commissioner Larry Long proclaiming the month of July 2010 as "Recreation and Parks Month" in the City of Lodi.

D. Consent Calendar (Reading; Comments by the Public; Council Action)

Council Member Mounce made a motion, second by Council Member Johnson, to approve the following items hereinafter set forth, **except those otherwise noted**, in accordance with the report and recommendation of the City Manager.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, and Mayor Katzakian

Noes: None

Absent: Mayor Pro Tempore Hitchcock

D-1 Receive Register of Claims in the Amount of \$3,591,015.70 (FIN)

Claims were approved in the amount of \$3,591,015.70.

D-2 Approve Minutes (CLK)

The minutes of June 9, 2010 (Special Meeting), June 15, 2010 (Shirtsleeve Session), and June 22, 2010 (Shirtsleeve Session) were approved as written.

D-3 Adopt Resolution Authorizing Annual Purchase of Materials and Services Needed to Maintain the Trojan Ultra Violet Disinfection System at White Slough Water Pollution Control Facility from DC Frost Associates, Inc., of Walnut Creek (\$230,325) (PW)

Adopted Resolution No. 2010-101 authorizing annual purchase of materials and services needed to maintain the Trojan ultra violet disinfection system at White Slough Water Pollution Control Facility from DC Frost Associates, Inc., of Walnut Creek, in the amount of \$230,325.

D-4 Adopt Resolution Authorizing City Manager to Purchase Traffic Signal Standards and Mast Arms for State Route 99/Harney Lane Interim Interchange Improvements (\$45,500) and Appropriating Funds (\$50,000) (PW)

Adopted Resolution No. 2010-102 authorizing City Manager to purchase traffic signal standards and mast arms for State Route 99/Harney Lane interim interchange improvements in the amount of \$45,500 and appropriating funds in the amount of \$50,000.

D-5 Adopt Resolution Awarding Contract for Cable Rejuvenation of 15,920 Feet of Underground Electric Cable in English Oak Subdivision, Phase I, to UtilX, Inc., of Kent, Washington (\$95,226.40) (EUD)

Adopted Resolution No. 2010-103 awarding contract for cable rejuvenation of 15,920 feet of underground electric cable in English Oak Subdivision, Phase I, to UtilX, Inc., of Kent, Washington, in the amount of \$95,226.40.

D-6 Adopt Resolution Awarding Two-Year Contracts for Janitorial Services for City Facilities to Korean Professional Building Maintenance, of Stockton (\$192,514); Advanced Property

Services, of Sacramento (\$52,588); and East Bay Building Services, of San Leandro (\$79,758); and Authorizing City Manager to Execute Contract Changes and Extensions (PW)

Adopted Resolution No. 2010-104 awarding two-year contracts for janitorial services for City facilities to Korean Professional Building Maintenance, of Stockton, in the amount of \$192,514; Advanced Property Services, of Sacramento, in the amount of \$52,588; and East Bay Building Services, of San Leandro, in the amount of \$79,758; and authorizing the City Manager to execute contract changes and extensions.

D-7 Adopt Resolution Awarding Contract for Maintenance of Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, for Fiscal Year 2010/11, to Dominguez Landscape Services, Inc., of Sacramento (\$28,392) (PW)

Adopted Resolution No. 2010-105 awarding contract for maintenance of Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, for fiscal year 2010/11, to Dominguez Landscape Services, Inc., of Sacramento, in the amount of \$28,392.

D-8 Adopt Resolution Approving Three-Year Contract with LaRue Communications, Inc., of Stockton, for City of Lodi Transit 800 MHz Radio Transmission Service (\$6,120 Annually) (PW)

Adopted Resolution No. 2010-106 approving three-year contract with LaRue Communications, Inc., of Stockton, for City of Lodi Transit 800 MHz radio transmission service in the amount of \$6,120 annually.

D-9 Adopt Resolution Authorizing the City Manager to Execute an Agreement with the Boosters of Boys/Girls Sports Organization for Concession Operations for the Term of July 1, 2010 to June 30, 2013 (PR)

Adopted Resolution No. 2010-107 authorizing the City Manager to execute an agreement with the Boosters of Boys/Girls Sports Organization for concession operations for the term of July 1, 2010 to June 30, 2013.

D-10 Adopt Resolution Authorizing Amendment to Lease Agreement with Verizon Wireless for Land Use at 114 North Main Street (CM)

Adopted Resolution No. 2010-108 authorizing amendment to lease agreement with Verizon Wireless for land use at 114 North Main Street.

D-11 Adopt Resolution Authorizing City Manager to Execute an Amendment to the Contract with Greyhound Bus Lines, Inc., Reducing Commission for Ticket Sales (PW)

Adopted Resolution No. 2010-109 authorizing the City Manager to execute an amendment to the contract with Greyhound Bus Lines, Inc., reducing commission for ticket sales.

D-12 Adopt Resolution Authorizing the City Manager or Electric Utility Director to Close Energy Positions in Accordance with the City of Lodi Energy Risk Management Policies and Approval of the Energy Risk Oversight Committee (EUD)

This item was pulled for further discussion by Council Member Mounce.

In response to Council Member Mounce, Interim City Manager Bartlam stated the Energy Risk Oversight Committee is comprised of the City Manager, City Attorney, Electric Utility Director, and

Deputy City Manager.

Council Member Mounce made a motion, second by Council Member Johnson, to adopt Resolution No. 2010-115 authorizing the City Manager or Electric Utility Director to close energy positions in accordance with the City of Lodi Energy Risk Management Policies and Approval of the Energy Risk Oversight Committee.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, and Mayor Katzakian

Noes: None

Absent: Mayor Pro Tempore Hitchcock

D-13 Adopt Resolution Renewing Line of Credit with Farmers and Merchants Bank (\$3,000,000) Through June 30, 2011, at No Cost to the City of Lodi for the Lodi Electric Utility (CM)

Adopted Resolution No. 2010-110 renewing line of credit with Farmers and Merchants Bank in the amount of \$3,000,000 through June 30, 2011, at no cost to the City of Lodi for the Lodi Electric Utility.

D-14 Approve the Proposed Expenditure Program for Lodi's Share of the 2010 Edward Byrne Memorial Justice Assistance Grant (PD)

Approved the proposed expenditure program for Lodi's share of the 2010 Edward Byrne Memorial Justice Assistance Grant.

D-15 Adopt Resolution Regarding City Vote on Property Assessment Ballot for City Property within the Central Delta Water Agency (PW)

Adopted Resolution No. 2010-111 regarding City vote on property assessment ballot for City property within the Central Delta Water Agency.

D-16 Adopt Resolution Initiating Proceedings for the Levy and Collection of Assessments, Resolution Approving the Annual Report, and Resolution Declaring Intention to Levy and Collect Assessments for the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 for Fiscal Year 2010/11; and Set Public Hearing for July 21, 2010 (PW)

Adopted Resolution No. 2010-112 initiating proceedings for the levy and collection of assessments, Resolution No. 2010-113 approving the Annual Report, and Resolution No. 2010-114 declaring intention to levy and collect assessments for the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 for fiscal year 2010/11; and set public hearing for July 21, 2010.

D-17 Set Public Hearing for July 21, 2010, to Consider the Certification of the Final Mitigated Negative Declaration for the Surface Water Treatment Facility (CD)

Set public hearing for July 21, 2010, to consider the certification of the Final Mitigated Negative Declaration for the Surface Water Treatment Facility.

E. Comments by the Public on Non-Agenda Items  
THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES. The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council

indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted. Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

None.

F. Comments by the City Council Members on Non-Agenda Items

Council Member Mounce commended Public Works on its efforts in regard to the Lodi Avenue improvements, requested that Public Works follow up with the transportation concerns received from Mr. Weaver, and commended Deputy City Manager Ayers on his distribution of information regarding the US Communities contracts and services.

Council Member Hansen reported on his attendance at the national conference for American Public Power Association where specific topics of discussion included greenhouse gas emissions, regulation by the Environmental Protection Agency, and the cap and trade policy. Mr. Hansen also discussed the third annual level of service meeting for San Joaquin Council of Governments.

Council Member Johnson reported on his and Mayor Katzakian's meeting with Congressman Jerry McNerney where specific topics of discussion included economic growth, job generation, loss of sales tax, and the housing market decline.

G. Comments by the City Manager on Non-Agenda Items

Interim City Manager Bartlam reminded the City Council and the citizens that the Lodi Cycle Fest will be going through downtown on Sunday, July 11, 2010, and there will be some temporary street closures as a result.

H. Public Hearings

H-1 Cancel Public Hearing to Consider Resolution Adopting Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2010/11, and Ordering the Levy and Collection of Assessments (PW)

Interim City Manager Bartlam stated the public hearing was canceled because the original low bidder for the contract withdrew his bid, the contract was awarded to the next low bidder, and the public hearing will occur on July 21, 2010.

In response to Council Member Johnson, Public Works Director Wally Sandelin stated the bid could have been withdrawn because the business is closing.

I. Communications

I-1 Post for One Vacancy on the Lodi Improvement Committee (CLK)

Council Member Mounce made a motion, second by Council Member Johnson, to direct the City Clerk to post for the following vacancy:

Lodi Improvement Committee

Tim Mustin, Term to expire March 1, 2011

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, and Mayor Katzakian

Noes: None

Absent: Mayor Pro Tempore Hitchcock

J. Regular Calendar

J-1 Adopt Resolution Approving Fiscal Year 2010/11 Facility Use Rates for Parks and Recreation and Labor Rates for the Fire Department, Public Works Engineering Division, and Community Development Department and Authorizing the City Manager to Approve Annual Rate Revisions (CM)

Interim City Manager Bartlam briefly introduced the subject matter of the labor and facility use rates.

Deputy City Manager Jordan Ayers provided a PowerPoint presentation regarding the facility use rates and labor rates for a variety of departments. Specific topics of discussion included general background, Parks and Recreation facility use fees, Fire Department labor rates, Public Works engineering division labor rates, Community Development building division labor rates, and proposed actions regarding the same.

In response to Council Member Mounce, Mr. Bartlam stated he spoke with John Beckman of the Building Industry Association who was primarily focused on the Community Development rates and those are decreasing slightly so Mr. Beckman does not have any concerns with those amounts or the methodology.

In response to Council Member Johnson, Fire Chief Kevin Donnelly stated most fire fees are for inspection services, not all inspections are current, the shortfall is primarily with occupancy inspections which in a perfect world would be conducted by a highly-trained inspector, the Fire Marshal position is vacant and those duties have been shared by others, and staff could look into options for contracting out certain services if so desired by the Council.

Council Member Johnson made a motion, second by Council Member Hansen, to adopt Resolution No. 2010-116 approving fiscal year 2010/11 facility use rates for Parks and Recreation and labor rates for the Fire Department, Public Works Engineering Division, and Community Development Department and authorizing the City Manager to approve annual rate revisions.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, and Mayor Katzakian

Noes: None

Absent: Mayor Pro Tempore Hitchcock

J-2 Adopt Resolution Revising Salary Range for the Position of Electrical Technician (CM)

Human Resources Manager Dean Gualco provided a presentation regarding the proposed resolution revising the salary range for the electrical technician position as detailed in the relevant staff report.

Council Member Hansen made a motion, second by Council Member Johnson, to adopt

Resolution No. 2010-117 revising salary range for the position of Electrical Technician up to 7%.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, and Mayor Katzakian

Noes: Council Member Mounce

Absent: Mayor Pro Tempore Hitchcock

K. Ordinances - None

L. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 7:40 p.m., in memory of former Lodi Mayor Walter Katnich, who passed away on July 1, 2010.

ATTEST:

Randi Johl  
City Clerk